

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

BRENDA K. GORDON,

Plaintiff,

3:16-CV-867-PK

v.

OPINION AND
ORDER

RAYMOND J. QUINLAN, SLM CORPORATION,
NICHOLAS C. WILSON, COLLECTCORP, INC.,
and FEDERAL STUDENT AID,

Defendants.

MOSMAN, District Judge;

PAPAK, Magistrate Judge:

Plaintiff *pro se* Brenda K. Gordon filed this action on May 18, 2016, without submitting any filing fee and without filing an application to proceed *in forma pauperis*. On May 20, 2016, the court issued an order directing Gordon either to submit a filing fee in the amount of \$400 or an application to proceed *in forma pauperis* within 30 days, and advising Gordon that her failure to do so would result in summary dismissal of her action. The clerk of court mailed Gordon a form Application to Proceed In Forma Pauperis on that same date. The 30-day period for

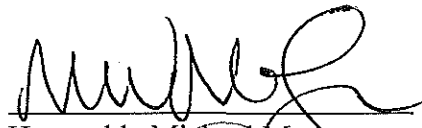
submitting a filing fee or an application to proceed *in forma pauperis* has now passed, and Gordon has neither submitted a filing fee nor applied for *in forma pauperis* status.

Any party instituting any civil action in and United States District Court (other than an application for writ of habeas corpus) must pay a filing fee in the amount of \$400. *See* 28 U.S.C. § 1914(a). An action may proceed despite an instituting party's failure to pay such filing fee only if that party is granted leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915(a). *See Andrews v. Cervantes*, 493 F.3d 1047, 1051 (9th Cir. 2007); *Rodriguez v. Cook*, 169 F.3d 1176, 1177 (9th Cir. 1999). Accordingly, this action may not proceed. Moreover, Gordon was ordered to pay the filing fee or to apply for *in forma pauperis* within 30 days on express pain of dismissal, and has failed to comply with the court's order. This action is therefore dismissed without prejudice.


CONCLUSION

For the reasons set forth above, this action is dismissed in its entirety without prejudice.

Dated this 16th day of June, 2016.



Honorable Michael Mosman
United States District Judge



Honorable Paul Papak
United States Magistrate Judge